

**FILED**

U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**AUG - 1 2012**

BY  
DEPUTY

DAVID E. MACK  
Plaintiff

vs

CAPITAL MANAGEMENT SERVICES, LP  
Defendant

Case No. 4:12CV314

**PLAINTIFF'S MOTION FOR ENLARGEMENT OF TIME TO  
RESPOND TO DEFENDANT'S MOTION TO DISMISS**

TO THE HONORABLE JUDGE OF THIS COURT:

The Plaintiff, David E Mack, files this Motion for Enlargement of Time, and in support thereof would show:

1. Defendant has filed a Motion to Dismiss and Answer subject thereto with the court in response to Plaintiff's Complaint alleging improper service.
2. Immediately upon Defendant's filing of said motion the Court issued an order for both parties to conduct their Rule 26(f) conference by August 20, 2012 and submit their joint report no later than September 4, 2012.
3. The case is also set for a Rule 16 management conference on September 17, 2012.
4. Plaintiff requests an enlargement of time to respond to Defendant's Motion to Dismiss until August 30, 2012 to conduct the 26(f) conference and confer with Defense counsel regarding said motion.

WHEREFORE, the Plaintiff respectfully requests the Court allow Plaintiff additional time to respond as requested.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "David E. Mack", written over a horizontal line.

David E Mack  
7720 McCallum Blvd. # 2099  
Dallas, Texas 75252  
972-735-9642

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the document above was sent to the parties listed below by first class mail USPS.

Dated August 1, 2012

A handwritten signature in black ink, appearing to read 'D. E. Mack', written over a horizontal line.

David E Mack

Kandy Messenger  
SPROTT RIGBY NEWSOM ROBBINS,  
& LUNCEFORD, P.C.  
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